

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.1135 OF 2007**

Lata Shailesh Shukla ...Applicant.
V/s.
Shailesh Jaikaran Shukla & Ors. ...Respondents.

Ms.Monica Sakhrani, adv. for the Applicant.
Mr.Harshad Palwe, adv. for the Respondent No.2.
Ms.Sartaj Shaikh, adv. for the Respondent No.3.
Mrs.M.M.Deshmukh, APP for the State.

**CORAM: J.H.BHATIA, J.
DATE : 16th April, 2007.**

P.C.:

1. Heard Ms.Monica Sakharani the learned counsel for the applicant, Mr.Palve the learned counsel for the respondent nos.1 and 2 , Ms.Sartaj Shaikh the learned counsel for the respondent no.3 and Mrs.Deshmukh the learned APP for the State.

2. The applicant was married to the respondent no.1. Respondent Nos.2 is father and respondent no.3 is the sister of the respondent no.1. Because of some matrimonial disputes, the applicant had filed report against the respondent nos.1 to 3 on the basis of which criminal case no.128/PW/2005 came to be registered before the Additional Chief Metropolitan Magistrate, 4th Court at Girgaum, Bombay for the offences punishable under Sections 420, 498A, 406 and 506II read with

Section 34 of the I.P.C. By this application, the applicant seeks to quash the said proceeding on the ground that the parties have arrived at an amicable settlement in the matrimonial disputes pending before the Family Court and it was agreed to take divorce by mutual consent and also to withdraw all the criminal cases and petitions. Consent Terms are filed before the Family Court on 7th March, 2007. The learned counsel for the applicant also makes a statement that by the order dated 28th March, 2007, decree of divorce has been granted by the mutual consent in petition no.F-321 of 2007. In view of these circumstances, applicant does not want to prosecute the respondent nos. 1 to 3.

3. Taking into consideration the circumstances and the amicable settlement between the parties , I find that it will be in the interest of justice to allow this application and quash the proceeding.

4. Therefore, application is allowed in terms of prayer clause (a).

(J.H.Bhatia, J.)